

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327
THIS DOCUMENT RELATES TO ALL CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**JOHNSON & JOHNSON’S AND ETHICON, INC.’S COMPLIANCE WITH THE
COURT’S PRE-TRIAL ORDER NO. 162**

Ethicon and Johnson & Johnson attach as Exhibits A and B the information requested by the Court in PTO#162. Exhibit A reflects the name and case number for each plaintiff from whom a Plaintiff Profile Form was due on or before January 15, 2015 and who had not served a PPF before January 22, 2015 (the date of PTO #162). Exhibit B reflects the name and case number for each plaintiff from whom a Plaintiff Profile Form containing deficiencies had been received on or before January 15, 2015 and who had not responded to the deficiency letter sent by Defendants.

PTO #162 contains the further requirement that the Defendants identify those cases in which a motion to dismiss or for sanctions had been filed. For a time, Defendants sought dismissal of cases where Plaintiff had not served a PPF. The Court entered a number of orders dismissing those cases without prejudice. Rather than operating as a sanction, those dismissals without prejudice essentially allowed the plaintiffs a “do over.” Many simply re-filed their action in this Court and thus reset all applicable deadlines. Others re-filed their cases in other venues, including the New Jersey coordinated proceedings, thus undermining the operation of

the MDL. After a time, Defendants suspended the filing of motions to dismiss for failure to serve a PPF.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on February 2, 2015, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

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